



JCZ Rec'd PCT/PTO 12 OCT 2001  
PCT #4

I hereby Certify that this Correspondence is being deposited with the United States Postal service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 10, 2001  
Michelle M. Scordato  
Name  
*Michelle Scordato*  
Signature  
October 10, 2001  
Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Greenwood et al.  
Serial No.: 09/857,650; Based on PCT/GB99/04195  
Filed: June 7, 2001  
For: Method of Drying a Lactulose Solution

RESPONSE

Assistant Commissioner for Patents  
Attention: Box Missing Parts  
Washington, D.C. 20231

Sir:

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office dated August 10, 2001 (copy enclosed), herewith is the executed Oath and Declaration. Also enclosed is the \$65 filing fee.

If any underpayment or overpayment has been made, please charge to Deposit Account No. 08-2442.

Respectfully submitted,  
HODGSON RUSS LLP

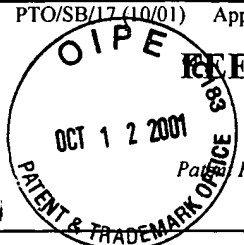
10/19/2001 UEDUVIJE 00000011 09857650

01 FC:254

65.00 OP

By *Ranjana Kadle*  
Ranjana Kadle, Reg. No. 40,041

One M&T Plaza, Suite 2000  
Buffalo, New York 14203  
716) 848-1628  
Dated: October 10, 2001



# **FREE TRANSMITTAL** **for FY 2002**

*Fees are subject to annual revision.*

Application Number 67,650

Filing Date June 7, 2001

First Named Inventor Greenwood et al.

Examiner Name

Group/Art Unit

Attorney Docket Number 18872.0105

TOTAL AMOUNT OF PAYMENT

(\$ 65.00)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 08-2442

Deposit Account Name:

Hodgson Russ LLP

## **3. ADDITIONAL FEES**

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

### **FEE CALCULATION**

#### **1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	\$
106 330	206 165	Design filing fee	\$
107 510	207 255	Plant filing fee	\$
108 740	208 370	Reissue filing fee	\$
114 160	214 80	Provisional filing fee	\$
<b>SUBTOTAL (1)</b>			\$ 0

112 920\* 112 920\* Requesting Publication of SIR prior to Examiner Action \$

113 1,840\* 113 1,840\* Requesting Publication of SIR after Examiner Action \$

115 110 215 55 Extension for reply within first month \$

116 400 216 200 Extension for reply within second month \$

117 920 217 460 Extension for reply within third month \$

118 1,440 218 720 Extension for reply within fourth month \$

128 1,960 228 980 Extension for reply within fifth month \$

119 320 219 160 Notice of Appeal \$

120 320 220 160 Filing a brief in support of an appeal \$

121 280 221 140 Request for oral hearing \$

138 1,510 138 1,510 Petition to institute a public use proceeding \$

140 110 240 55 Petition to revive - unavoidable \$

141 1,280 241 640 Petition to revive - unintentional \$

142 1,280 242 640 10 advance copies \$

143 460 243 230 Utility issue fee (or reissue) \$

144 620 244 310 Design issue fee \$

122 130 122 130 Plant issue fee \$

123 50 123 50 Petitions to the Commissioner \$

126 180 126 180 Processing fee under 37 CFR 1.17(q) \$

127 180 127 180 Submission of Information Disclosure Statement \$

128 180 128 180 Recording each patent assignment per property (times number of properties) \$

146 740 246 370 Filing a submission after final rejection(37 CFR 1.129(a)) \$

149 740 249 370 For each add'l invention to be examined(37 CFR 1.129(b)) \$

179 740 279 370 Request For Continued Examination (RCE) \$

169 900 169 900 Request for Expedited Examination of a design appln. \$

**SUBTOTAL (2)** \$ 0

**SIGNATURE:** *Ranjana Kadle*

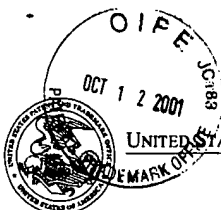
Ranjana Kadle Reg. No. 40,041

DATE: October 10, 2001 Telephone: (716) 848-1628

\*Reduced by basic filing fee paid

**SUBTOTAL (3)**

\$ 65



UNITED STATES PATENT AND TRADEMARK OFFICE

Due: 10/10/01  
Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/857650	GREENWOOD	A 18872.065
HODGSON RUSS RANJANA KADLE HGL ONE M&T PLAZA SUITE 2000 BUFFALO, NY 14203 2391		INTERNATIONAL APPLICATION NO. PCT/GB99/04195
RECEIVED AUG 13 2001		I.A. FILING DATE 13 DEC 99
		PRIORITY DATE 11 DEC 98

DATE MAILED:

10 AUG 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input checked="" type="checkbox"/> Indication of Small Entity Status.              |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Barbara A. Campbell